

107TH CONGRESS
1ST SESSION

H. R. 802

To authorize the Public Safety Officer Medal of Valor, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2001

Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, and Mr. KELLER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the Public Safety Officer Medal of Valor, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Safety Officer
5 Medal of Valor Act of 2001”.

6 **SEC. 2. AUTHORIZATION OF MEDAL.**

7 After September 1, 2001, the President may award,
8 and present in the name of Congress, a Medal of Valor
9 of appropriate design, with ribbons and appurtenances, to
10 a public safety officer who is cited by the Attorney Gen-

1 eral, upon the recommendation of the Medal of Valor Re-
2 view Board, for extraordinary valor above and beyond the
3 call of duty. The Public Safety Medal of Valor shall be
4 the highest national award for valor by a public safety offi-
5 cer.

6 **SEC. 3. MEDAL OF VALOR BOARD.**

7 (a) ESTABLISHMENT OF BOARD.—There is estab-
8 lished a Medal of Valor Review Board (hereinafter in this
9 Act referred to as the “Board”), which shall be composed
10 of 11 members appointed in accordance with subsection
11 (b) and shall conduct its business in accordance with this
12 Act.

13 (b) MEMBERSHIP.—

14 (1) MEMBERS.—The members of the Board
15 shall be individuals with knowledge or expertise,
16 whether by experience or training, in the field of
17 public safety, of which—

18 (A) two shall be appointed by the majority
19 leader of the Senate;

20 (B) two shall be appointed by the minority
21 leader of the Senate;

22 (C) two shall be appointed by the Speaker
23 of the House of Representatives;

24 (D) two shall be appointed by the minority
25 leader of the House of Representatives; and

1 (E) three shall be appointed by the Presi-
2 dent, including one with experience in fire-
3 fighting, one with experience in law enforce-
4 ment, and one with experience in emergency
5 services.

6 (2) TERM.—The term of a Board member shall
7 be 4 years.

8 (3) VACANCIES.—Any vacancy in the member-
9 ship of the Board shall not affect the powers of the
10 Board and shall be filled in the same manner as the
11 original appointment.

12 (4) OPERATION OF THE BOARD.—

13 (A) CHAIRMAN.—The Chairman of the
14 Board shall be elected by the members of the
15 Board from among the members of the Board.

16 (B) MEETINGS.—The Board shall conduct
17 its first meeting not later than 90 days after
18 the appointment of the last member appointed
19 of the initial group of members appointed to the
20 Board. Thereafter, the Board shall meet at the
21 call of the Chairman of the Board. The Board
22 shall meet not less often than twice each year.

23 (C) VOTING AND RULES.—A majority of
24 the members shall constitute a quorum to con-
25 duct business, but the Board may establish a

1 lesser quorum for conducting hearings sched-
2 uled by the Board. The Board may establish by
3 majority vote any other rules for the conduct of
4 the Board's business, if such rules are not in-
5 consistent with this Act or other applicable law.

6 (c) DUTIES.—The Board shall select candidates as
7 recipients of the Medal of Valor from among those applica-
8 tions received by the National Medal Office. Not more
9 often than once each year, the Board shall present to the
10 Attorney General the name or names of those it rec-
11 ommends as Medal of Valor recipients. In a given year,
12 the Board shall not be required to select any recipients
13 but may not select more than 5 recipients. The Attorney
14 General may in extraordinary cases increase the number
15 of recipients in a given year. The Board shall set an an-
16 nual timetable for fulfilling its duties under this Act.

17 (d) HEARINGS.—

18 (1) IN GENERAL.—The Board may hold such
19 hearings, sit and act at such times and places, ad-
20 minister such oaths, take such testimony, and re-
21 ceive such evidence as the Board considers advisable
22 to carry out its duties.

23 (2) WITNESS EXPENSES.—Witnesses requested
24 to appear before the Board may be paid the same
25 fees as are paid to witnesses under section 1821 of

1 title 28, United States Code. The per diem and mile-
2 age allowances for witnesses shall be paid from
3 funds appropriated to the Board.

4 (e) INFORMATION FROM FEDERAL AGENCIES.—The
5 Board may secure directly from any Federal department
6 or agency such information as the Board considers nec-
7 essary to carry out its duties. Upon the request of the
8 Board, the head of such department or agency may fur-
9 nish such information to the Board.

10 (f) INFORMATION TO BE KEPT CONFIDENTIAL.—
11 The Board shall not disclose any information which may
12 compromise an ongoing law enforcement investigation or
13 is otherwise required by law to be kept confidential.

14 **SEC. 4. BOARD PERSONNEL MATTERS.**

15 (a) COMPENSATION OF MEMBERS.—(1) Except as
16 provided in paragraph (2), each member of the Board
17 shall be compensated at a rate equal to the daily equiva-
18 lent of the annual rate of basic pay prescribed for level
19 IV of the Executive Schedule under section 5315 of title
20 5, United States Code, for each day (including travel time)
21 during which such member is engaged in the performance
22 of the duties of the Board.

23 (2) All members of the Board who serve as officers
24 or employees of the United States, a State, or a local gov-

1 ernment, shall serve without compensation in addition to
2 that received for those services.

3 (b) TRAVEL EXPENSES.—The members of the Board
4 shall be allowed travel expenses, including per diem in lieu
5 of subsistence, at rates authorized for employees of agen-
6 cies under subchapter I of chapter 57 of title 5, United
7 States Code, while away from their homes or regular
8 places of business in the performance of service for the
9 Board.

10 **SEC. 5. DEFINITIONS.**

11 In this Act:

12 (1) PUBLIC SAFETY OFFICER.—The term “pub-
13 lic safety officer” means a person serving a public
14 agency, with or without compensation, as a fire-
15 fighter, law enforcement officer, or emergency serv-
16 ices officer, as determined by the Attorney General.
17 For the purposes of this paragraph, the term “law
18 enforcement officer” includes a person who is a cor-
19 rections or court officer or a civil defense officer.

20 (2) STATE.—The term “State” means each of
21 the several States of the United States, the District
22 of Columbia, the Commonwealth of Puerto Rico, the
23 Virgin Islands, Guam, American Samoa, and the
24 Commonwealth of the Northern Mariana Islands.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Attor-
3 ney General such sums as may be necessary to carry out
4 this Act.

5 **SEC. 7. NATIONAL MEDAL OF VALOR OFFICE.**

6 There is established within the Department of Justice
7 a national medal of valor office. The office shall provide
8 staff support to the Board to establish criteria and proce-
9 dures for the submission of recommendations of nominees
10 for the Medal of Valor and for the final design of the
11 Medal of Valor.

12 **SEC. 8. CONFORMING REPEAL.**

13 Section 15 of the Federal Fire Prevention and Con-
14 trol Act of 1974 (15 U.S.C. 2214) is amended—

15 (1) by striking subsection (a) and inserting the
16 following new subsection (a):

17 “(a) ESTABLISHMENT.—There is hereby established
18 an honorary award for the recognition of outstanding and
19 distinguished service by public safety officers to be known
20 as the Secretary’s Award For Distinguished Public Safety
21 Service (‘Secretary’s Award’).”;

22 (2) in subsection (b)—

23 (A) by striking paragraph (1); and

24 (B) by striking “(2)”;

1 (3) by striking subsections (c) and (d) and re-
2 designating subsections (e), (f), and (g) as sub-
3 sections (c), (d), and (e), respectively; and
4 (4) in subsection (c), as so redesignated—
5 (A) by striking paragraph (1); and
6 (B) by striking “(2)”.

7 **SEC. 9. CONSULTATION REQUIREMENT.**

8 The Board shall consult with the Institute of Her-
9 aldry within the Department of Defense regarding the de-
10 sign and artistry of the Medal of Valor. The Board may
11 also consider suggestions received by the Department of
12 Justice regarding the design of the medal, including those
13 made by persons not employed by the Department.

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